

REMARKS

Preliminary Amendment

The preliminary amendments to the specification and to claims 21-24 made above have been made in order to correct a translation error. The German term "Blenden" was originally translated as "screen". A better translation in the context of the optical arts is "diaphragm". Therefore, correction has been made in the specification and claims.

Restriction Requirement

Applicants hereby elect, without traverse, to prosecute the invention of Group I (Claims 14-20) together with linking Claim 13 in the present application.

The identification of distinct species in paragraph 5 of the Office Action is not altogether clear, and can be interpreted in two ways.

Under a first interpretation, there are two species of the elected Group I invention, the first species relating to the passageway being triangular and the second species relating to the passageway being rectangular. Consistent with this interpretation, Claims 13 and 14 are generic, Claims 15 and 16 are readable on the first species (triangular passageway), and claims 17-20 are readable on the second species (rectangular passageway). Applicants respectfully urge that definition of the second species is more broadly stated as a passageway configured with four corners (please see Claims 17 and 18). If this interpretation is correct, then Applicants provisionally elect the second species (four-cornered passageway), with traverse. The holding that the triangular and four-cornered species are patentably distinct is without support in the Office Action, and these configurations are admitted to be obvious variants.

Under a second interpretation of paragraph 5 of the Office Action, Group I includes a first species (Species "A") wherein the passageway shape is either rectangular or triangular, and Group II includes a second species (Species "B") wherein the diaphragm (formerly "screen") is

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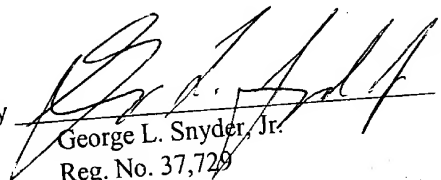
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Johann ENGELHARDT et al.
Response to Restriction Requirement
Page 4 of 4

before or after the pinhole occluder. Consistent with this interpretation, in elected Group I, Claims 13 and 14 are generic and claims 15-20 are readable on Species "A". If this interpretation is correct, then Applicants hereby elect Species "A" without traverse.

Respectfully submitted,

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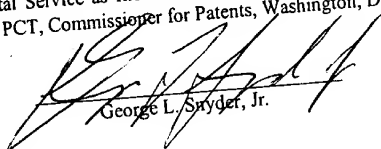
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT COOPERATION TREATY

Applicant: Johann ENGELHARDT et al. Group Art Unit: 2872
Serial No.: 09/601130 Examiner: R. Shafer
Filed: 27-July-2000 Attorney Ref.: 293.000193
Title: OPTICAL ARRANGEMENT PROVIDED FOR A SPECTRAL FANNING OUT
OF A LIGHT BEAM

CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that this MARKED VERSION OF AMENDMENTS is being deposited with the United States Postal Service as first class mail on November 15, 2001 in an envelope addressed to: Box PCT, Commissioner for Patents, Washington, D.C. 20231.


George L. Snyder, Jr.

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IN THE SPECIFICATION:

At page 2, paragraph beginning at line 23, replacement paragraph:

-- [Screens] Diaphragms that are preferably variable could also be arranged in the beam path in front of or behind the pinhole. These [screens] diaphragms are used to suppress diffraction maxima or diffraction phenomena of a higher order.--

At page 3, paragraph beginning at line 15, replacement paragraph:

-- From the pinhole, the beam in some cases runs through the previously mentioned variable [screen] diaphragm to focusing optics and dispersion means. The dispersion means can be designed as a prism for an especially simple construction. Focusing optics, which can in turn comprise a lens arrangement, are arranged both in front of and behind the dispersion means or prism.--

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IN THE CLAIMS:

Amended claims 21-24:

21. (Amended) The improvement according to claim 13, further comprising a [screen] diaphragm in said detection beam path for suppressing diffraction phenomena.
22. (Amended) The improvement according to claim 21, wherein said [screen] diaphragm is a variable [screen] diaphragm.
23. (Amended) The improvement according to claim 21, wherein said [screen] diaphragm is located after said pinhole occluder in said detection beam path.
24. (Amended) The improvement according to claim 21, wherein said [screen] diaphragm is located before said pinhole occluder in said detection beam path.

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